

DATE: November 22, 2010

TO: RMC Governing Board

FROM: Belinda V. Faustinos, Executive Officer

SUBJECT: Item 16: Consideration of a resolution authorizing a grant amendment to the Los Cerritos Wetlands Authority to combine the Los Cerritos Wetlands Authority Phase 1 and 2 Site Restoration and Recreational Improvements Conceptual Plan grants and expand the scope of work to include the Marketplace Marsh property (RMC 10005).

PROGRAM AREA: Rivers and Urban Program

PROJECT TYPE: Planning

JURISDICTION: City of Long Beach and Seal Beach

PROJECT MANAGER: Luz Torres

RECOMMENDATION: That the RMC authorize a grant amendment to the Los Cerritos Wetlands Authority to combine the Los Cerritos Wetlands Authority Phase 1 and 2 Site Restoration and Recreational Improvements Conceptual Plan grants and expand the scope of work to include the Marketplace Marsh property (RMC 10000).

PROJECT'S DESCRIPTION: The LCWA Phase 1 and 2 Site Restoration and Recreational Improvements Conceptual Plan proposes to develop a restoration and recreational conceptual plan for the Los Cerritos Wetlands Complex properties which will include the Phase 1/Bryant, Phase 2/Hellman and City of Long Beach Marketplace Marsh (Marketplace Marsh) properties, please see attached map.

BACKGROUND: The Los Cerritos Wetlands Complex is approximately 500 acres total and the LCWA currently has acquired approximately 177 acres not including the Marketplace Marsh, which is approximately 33 acres. The LCWA has the ability to acquire and own real property and once property is acquired the LCWA conducts research, develops a restoration plan and implements long-term restoration of these properties. The LCWA Phase 1 and 2 Site Restoration and Recreational Improvements Conceptual Plan is the first LCWA feasibility study for the LCWA properties and will further incorporate the Los Cerritos Wetlands Stewardship Program designed to promote community involvement with environmental education, maintenance, restoration and monitoring of the Los Cerritos Wetlands.

The feasibility study will include Phase 1/Bryant, Phase 2/Hellman and Marketplace Marsh properties. The Phase 1 properties encompass approximately 67 acres and are located on two distinct parcels separated by the San Gabriel River with the east parcel bounded by the Haynes generating station cooling channel on the eastern boundary and the San Gabriel River on the western boundary and the west parcel is bounded by San Gabriel River on the eastern boundary and is at the intersection of Studebaker Road and Westminster Avenue on the western boundary in the City of Long Beach. Phase 2 Properties encompass approximately 100 acres and are located on the southwestern portion of the larger 175-acre Hellman Ranch in the City of Seal Beach, in Orange County.

The site is located at the southeast quadrant of the intersection of Pacific Coast Highway and the Los Angeles-Orange County line and is adjacent to the City of Seal Beach's Gum Grove Park and is directly across the channel from the LCWA Phase I property. The Marketplace Marsh is approximately 33 acres and it is located south of 2nd Street and it is bounded by the San Gabriel River on the southern end, by the LCWA property on the eastern end and by Westminster Avenue/2nd Street on the northern boundary in the City of Long Beach.

The properties are situated in County of Los Angeles in the City of Long Beach on the northeast quarter of section 11, township 5 south, range 12 west, in the Rancho Los Alamitos USGS topographical map. The LCWA properties are undeveloped lands that contain degraded wetlands as well as limited areas of active oil operations.

The LCWA Phase 1 and 2 Site Restoration and Recreational Improvements Conceptual Plan was submitted by the LCWA under the RMC's Rivers and Tributaries Program Area for development of a restoration and recreational conceptual plan of the within the Los Cerritos Wetlands Properties. Funding will allow for developing a comprehensive restoration plan for the LCWA Properties. The estimated project cost is \$450,000 for duration of two years, please see attached Budget, Task and Timeline.

The LCWA participated in the RMC 2007 competitive grant cycle by proposing the LCWA Phase 1 and 2 Site Restoration and Recreational Improvements Conceptual Plan. In 2008 the project ranked as a Tier 2 project and was considered and approved for funding at the RMC October 29, 2008 Board Meeting. On December 2008 the State froze funding for all bond funded projects which delayed the project award and contract process. The recent 2010 Bond Sales has enabled the RMC to re-authorize grant awards to all Tier 2 approved Grantees per the RMC October 29, 2008 Board Meeting Resolution 2008-82. The LCWA Phases 1 and 2 were approved for funding per RMC Resolutions 2010-72 and 2010-82. Further, the LCWA staff has submitted the necessary documents including the Tasklist, Timeline, Budget and Monitoring Plan attached as Exhibits A, B and C to authorize a grant amendment to combine both grants and expand the scope of work to include the Marketplace Marsh property (RMC 10005).

FISCAL INFORMATION: The estimated total cost for The LCWA Phases 1 and 2 Site Restoration and Recreational Improvements Conceptual Plan as submitted by the LCWA in the amount of \$450,000 and funded through the RMC bond funds. The LCWA has secured matching funds totaling \$5,150,000 which will fund the acquisition of the Hellman Property.

This grant is consistent with the RMC Resolutions 2010-72 and 2010-82 which approved funding for Phases 1 and 2, further the LCWA has submitted the necessary documents including the Tasklist, Timeline, Budget and Monitoring Plan attached as Exhibits A, B and C to authorize a grant amendment to combine both grants and expand the scope of work to include the Marketplace Marsh property (RMC 10005).

Funding for this project will be allocated from the RMC Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40) and/or the Water, Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50), and/or the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to develop the Los Cerritos Wetlands Feasibility Study.

Funding for this project will be allocated from Proposition 40, 50 and/or 84:

Prop 40: The California State Public Resources Code Section 5096.650(b) and 5066.650(b)(6) provide that: (b) The sum of four hundred forty-five million dollars (\$445,000,000) to the conservancies in accordance with the particular provisions of the statute creating each conservancy for the acquisition, development, rehabilitation, restoration, and protection of land and water resources; for grants and state administrative costs; and in accordance with the following schedule...

Section 5096.650(b)(6) to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy\$40,000,000.

Prop 50: The sum of twenty million dollars (\$20,000,000) to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for protection of the San Gabriel and lower Los Angeles River watersheds pursuant to Division 22.8 (commencing with Section 32600) of the Public Resources Code.

Prop 84: Section 75050. The sum of nine hundred twenty eight million dollars (\$928,000,000) shall be available for the protection and restoration of rivers, lakes and streams, their watersheds and associated land, water, and other natural resources in accordance with the following schedule:... (g) The sum of seventy two million dollars (\$72,000,000) shall be available for projects within the watersheds of the Los Angeles and San Gabriel Rivers according to the following schedule:

(1) \$36,000,000 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy pursuant to Division 22.8 (commencing with Section 32600).....

75060. The sum of five hundred forty million dollars (\$540,000,000) shall be available for the protection of beaches, bays and coastal waters and watersheds, including projects to prevent contamination and degradation of coastal waters and watersheds, projects to protect and restore the natural habitat values of coastal waters and lands, and projects and expenditures to promote access to and enjoyment of the coastal resources of the state, in accordance with the following schedule:.... (3) To the Rivers and Mountains Conservancy.....\$15,000,000.

LEGISLATIVE AUTHORITY AND RMC ADOPTED POLICIES/AUTHORITIES: The purpose of the Authority is to provide for a comprehensive program of acquisition, protection, conservation, restoration, maintenance and operation and environmental enhancement of the Los Cerritos Wetlands area consistent with the goals of flood protection, habitat protection and restoration, and improved water supply, water quality, groundwater recharge and water conservation. The Authority has the ability to acquire and own real property, but does not have the power of eminent domain. A second major purpose of the Authority is to conduct restoration planning and implement that restoration.

Section 32602: There is in the Resources Agency, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is created as a state agency for the following purposes:

(b) To preserve the San Gabriel River and the Lower Los Angeles River consistent with existing and adopted river and flood control projects for the protection of life and property.

(d) To provide for the public's enjoyment and enhancement of recreational and educational experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River, and the San Gabriel Mountains in a manner consistent with the protection of lands and resources in those watersheds.

Section 32602. There is in the Resources Agency, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is created as a state agency for the following purposes:....

- (b) To preserve the San Gabriel River and the Lower Los Angeles River consistent with existing and adopted river and flood control projects for the protection of life and property.

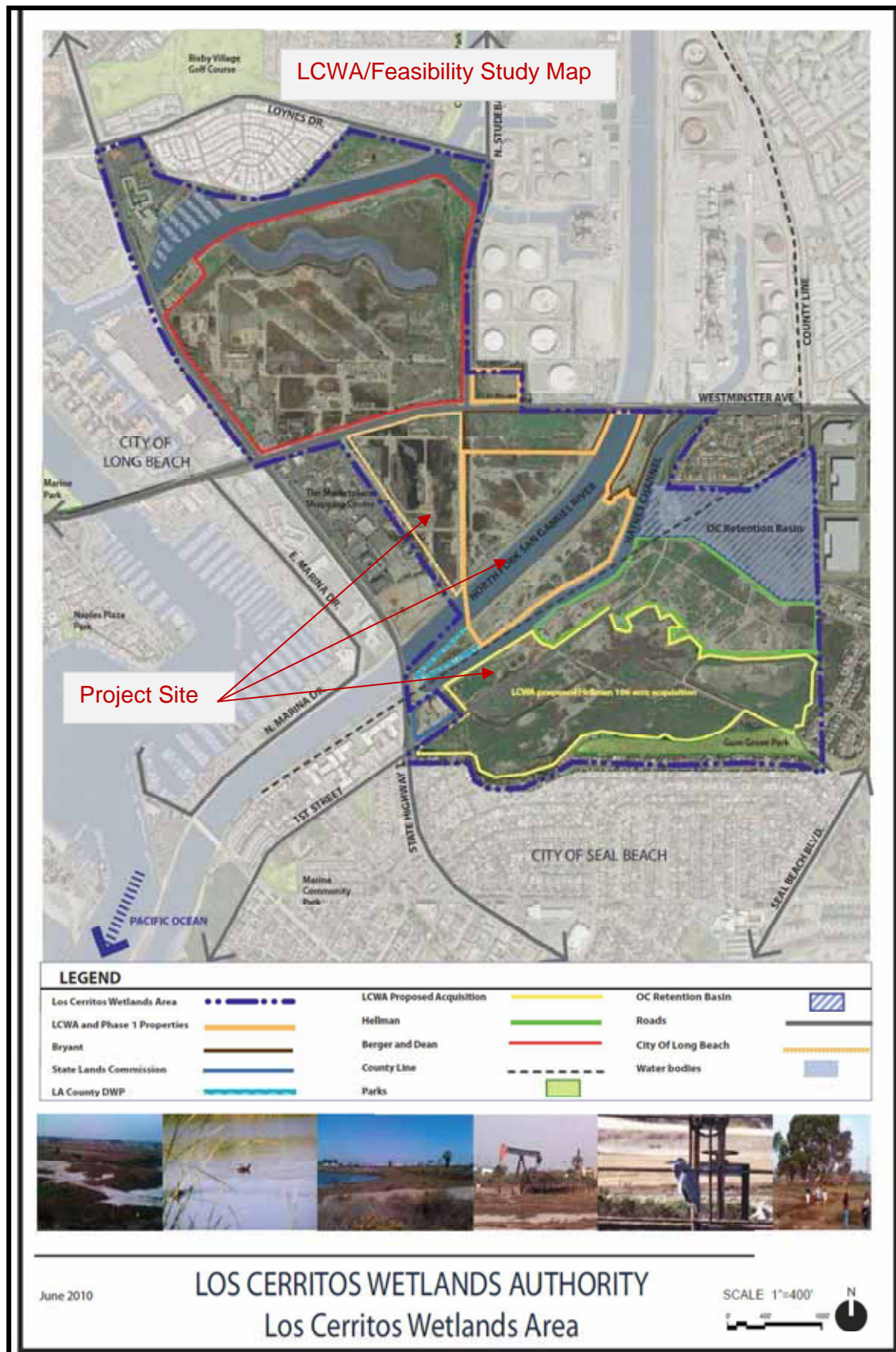
Section 32604: The conservancy shall do all of the following:

- (a) Establish policies and priorities for the conservancy regarding the San Gabriel River and the Lower Los Angeles River, and their watersheds, and conduct any necessary planning activities, in accordance with the purposes set forth in Section 32602.
- (c) Approve conservancy funded projects that advance the policies and priorities set forth in Section 32602.

Section 32614.5:

- (a) The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division.
- (b) Grants to nonprofit organizations for the acquisition of real property or interests in real property shall be subject to all of the following conditions:
 - (1) The purchase price of any interest in land acquired by the nonprofit organization may not exceed fair market value as established by an appraisal approved by the conservancy.
 - (2) The conservancy approves the terms under which the interest in land is acquired.
 - (3) The interest in land acquired pursuant to a grant from the conservancy may not be used as security for any debt incurred by the nonprofit organization unless the conservancy approves the transaction.
 - (4) The transfer of land acquired pursuant to a grant shall be subject to the approval of the conservancy and the execution of an agreement between the conservancy and the transferee sufficient to protect the interests of the state.
 - (5) The state shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if any essential term or condition of the grant is violated.
 - (6) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the state, except that, prior to that termination, another public agency or nonprofit organization may receive title to all or a portion of that interest in real property, by recording its acceptance of title, together with the conservancy's approval, in writing.
- (c) Any deed or other instrument of conveyance whereby real property is acquired by a nonprofit organization pursuant to this section shall be recorded and shall set forth the executory interest or right of entry on the part of the state.

RMC Resolutions 2010-72 and 2010-82 authorized funding for the LCWA Phases 1 and 2 Site Restoration and Recreational Improvements Conceptual Plan.



This page was left blank intentionally

Exhibit A Tasklist and Timeline																														
LCWA Site Restoration and Recreational Improvements Conceptual Plan																														
Project Task Detail by Project Phase	Percent % Work Complete	Start	Finish	Task by Month/Year												Year 2010 - 2012												Year		
				Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year	Month/Year		Month/Year	Month/Year
PHASE 1: Start up and Analysis																														
Project Management				03/10	05/10	09/10	10/10	11/10	12/10	01/11	02/11	03/11	04/11	05/11	06/11	07/11	08/11	09/11	10/11	11/11	12/11	01/12	02/12	03/12	04/12	05/12	06/12	07/12	08/12	09/12
RMC Grant Received		Sep-10																												
RFP: Hire Consultant for Project management of Wetland Restoration Conceptual Development		Sep-10	Sep-10																											
Restoration planning, stakeholder analysis & concept design team building		Sep-10	Mar-10																											
Review/Incorporate Statutory Requirements and Grant Requirements		Sep-10	Nov-10																											
Prepare Subcontracts with necessary planning team members		Oct-10	Dec-10																											
Field Reconnaissance and Natural Resource Surveys		Oct-10	Dec-11																											
Identify Project Constraints		Oct-10	Dec-10																											
Develop Stakeholder/Community Workshops and Timeline		Oct-10	Dec-10																											
Identify Stakeholder Groups, Develop community vision		Nov-10	Dec-11																											
Habitat Assessment: Wildlife and Vegetation Communities		Nov-10	Nov-11																											
Wetland Delineation and Mapping		Nov-10	Nov-11																											
Meet with agencies and other stakeholders with regulatory or jurisdictional interests		Jan-11	Feb-12																											
Compile historical data into database		Jan-11	Jun-11																											
PHASE 2: Project Development and Design Alternatives																														
Planning and Designing of Wetland Restoration Conceptual Alternatives		Jan-11	Apr-12																											
Existing Site Topographic Surveying		Jan-11	Jun-11																											
Hydrological Engineering Analysis and Total Model Development		Mar-11	Mar-12																											
Oil Infrastructure analysis		Jun-11	Dec-11																											
Develop Alternative Design Analysis for Wetland Restoration		Sep-11	Jun-12																											
Stakeholder analysis and creation of stakeholder matrix/developing alternatives		Jan-12	Mar-12																											
Develop construction cost estimates		Feb-12	Apr-12																											
Final Stakeholder and Community Feedback: Confirmation of Restoration Plan		Mar-12	May-12																											
Finalize Restoration and Stewardship Plan		Mar-12	May-12																											
Finalize Development of Monitoring Plan for Wetland Restoration		Mar-12	Jun-12																											

Exhibit B Budget
LCWA Phase 2 Site Restoration and Recreational Improvements
Conceptual Plan

Project Task Detail by Project Phase	Project Cost	
	Unit Cost	RMC Funding
	\$	
RFP: Hire Consultant for Project management of Wetland Restoration Conceptual Development		
Restoration planning, stakeholder analysis & concept design team building	50,000	50,000
Identify Stakeholder Groups, Develop a community visioning plan	10,000	
Meet with agencies and other stakeholders with regulatory or jurisdictional interests	10,000	
Stakeholder analysis and creation of stakeholder matrix/developing alternatives	10,000	
Review/Incorporate Statutory Requirements and Grant Requirements	10,000	
Prepare Subcontracts with necessary planning team members	10,000	
Field Reconnaissance and Natural Resource Surveys	80,000	80,000
Compile historical data into database	10,000	
Habitat Assessment: Geological, Wildlife and Vegetation surveys	10,000	
Wetland Delineation and Mapping	60,000	
Planning and Designing of Wetland Restoration Conceptual Alternatives	180,000	180,000
Existing Site Topographical Surveying	40,000	
Hydrological Engineering Analysis and Tidal Model Development	60,000	
Develop Alternative Design Analysis for Wetland Restoration Planning	60,000	
Develop construction cost estimates	20,000	
Stakeholder and Community Feedback: Confirmation of Restoration Plan	10,000	10,000
Finalize Restoration and Stewardship Plan	10,000	10,000
Initialize Development of Monitoring Plan for Wetland Restoration	10,000	10,000
Grant Administration and Implementation	80,000	80,000
PHASE 2 GRAND TOTAL		420,000
PROJECT CONTINGENCY		
Contingency (not to exceed 10% of RMC Grant)		30,000
PROJECT GRAND TOTAL		450,000

Exhibit C Monitoring and Assessment Plan

<i>Project Goals The LCWA Phase I Site Restoration and Recreational Improvements Conceptual Plan proposes to develop a restoration and recreational conceptual plan for the LCWA Phase I Properties. This conceptual plan will allow the LCWA to develop a feasibility study with a cost alternative analysis for the Phase I Properties. The LCWA Phase I Site Restoration and Recreational Improvements Conceptual Plan Development will allow also for the design of public trails connecting the communities of Southeast Long Beach and Seal Beach in addition to developing a comprehensive restoration plan for the Phase I Properties.</i>	Verification timing When the project task must be completed	Responsible party <i>Party responsible for completion of task.</i>	Status <i>Current status of project task.</i>
RFP: Hire Consultant for Project management of Wetland Restoration Conceptual Development	Please see timeline and tasklist	LCWA	awaiting grant approval
Restoration planning, stakeholder analysis & concept design team building		LCWA	
Identify Stakeholder Groups, Develop a community visioning plan		Consultant	
Meet with agencies and other stakeholders with regulatory or jurisdictional interests		Consultant	
Stakeholder analysis and creation of stakeholder matrix/developing alternatives		Consultant	
Review/Incorporate Statutory Requirements and Grant Requirements		Consultant	
Prepare Subcontracts with necessary planning team members			
Field Reconnaissance and Natural Resource Surveys		LCWA	
Identify Project Constraints		Consultant	
Compile historical data into database		Consultant	
Habitat Assessment: Geological, Wildlife and Vegetation surveys		Consultant	
Wetland Delineation and Mapping		Consultant	
Oil Infrastructure analysis			
Planning and Designing of Wetland Restoration Conceptual Alternatives		LCWA	
Existing Site Topographical Surveying		Consultant	
Hydrological Engineering Analysis and Tidal Model Development		Consultant	
Develop Alternative Design Analysis for Wetland Restoration Planning		Consultant	
Develop construction cost estimates		Consultant	
Stakeholder and Community Feedback: Confirmation of Restoration Plan		LCWA	
Finalize Restoration and Stewardship Plan		LCWA	
Initialize Development of Monitoring Plan for Wetland Restoration		LCWA	

This page was left blank intentionally

November 22, 2010 Agenda Item 16

RESOLUTION 2010 – 90

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES
RIVERS AND MOUNTAINS CONSERVANCY (RMC) AUTHORIZING A
GRANT AMENDMENT TO THE LOS CERRITOS WETLANDS
AUTHORITY TO COMBINE THE LOS CERRITOS WETLANDS
AUTHORITY PHASES 1 AND 2 SITE RESTORATION AND
RECREATIONAL IMPROVEMENTS CONCEPTUAL PLAN GRANTS
AND EXPAND THE SCOPE OF WORK TO INCLUDE THE
MARKETPLACE MARSH PROPERTY (RMC 10000)

WHEREAS, The legislature has found and declared that the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills constitute a unique and important open space, environmental, anthropological, cultural, scientific, educational, recreational, scenic, and wildlife resource that should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations; and

WHEREAS, The people of the State of California have enacted the Clean Water, Clean Air, Safe Neighborhoods, and Coastal Protection Bond Act of 2002 (Park Bond Act Proposition 40) which provides funds for the RMC Grant Program; and

WHEREAS, The people of the State of California have enacted the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50), which provides funds for the RMC grant program; and

WHEREAS, The people of the State of California have enacted the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), which provides funds for the RMC grant program; and

WHEREAS, The RMC may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of Division 22.8 the Public Resources Code; and

WHEREAS, The Applicant has submitted a project which is consistent with the purposes of Division 22.8 of the Public Resources Code and the Bond Act; and

WHEREAS, this action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and NOW

Therefore be it resolved that the RMC hereby:

1. FINDS that this action is consistent with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Act and is necessary to carry out the purposes and objectives of Division 22.8 of the Public Resources Code.

2. FINDS that the grant is consistent with the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40), the Water, Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50) and the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), which provides funds for the RMC grant program.
3. FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
4. APPROVES a grant amendment to the Los Cerritos Wetlands Authority to combine the Los Cerritos Wetlands Authority Phases 1 and 2 Site Restoration and Recreational Improvements Conceptual Plan grants and expand the scope of work to include the Marketplace Marsh property in the amount of \$450,000 (RMC 10005).
5. ADOPTS the staff report dated November 22, 2010.

~ End of Resolution ~

Passed and Adopted by the Board of the
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS
CONSERVANCY on November 22, 2010.

Frank Colonna, Chair

ATTEST:

Terry Fujimoto
Deputy Attorney General